

UNITED STATES DISTRICT COURT
OF THE NORTHERN DISTRICT OF
OKLAHOMA

PAUL ZAY,
PETITIONER

22CV-039 GKF · JFJ

✓
PAUL ZIRIAX,
EX REC STATE OF
OKLAHOMA ELECTION
BOARD, RESPONDENT.

FILED

JAN 20 2022

Mark C. McCartt, Clerk
U.S. DISTRICT COURT

PETITION FOR WRIT OF MANDAMUS TO
ENJOIN THE RESPONDENT FROM COUNTING
VOTES CAST IN OKLAHOMA ELECTIONS HELD
ON 18 MILLION ACRES OF INDIAN TERRITORY

COMES NOW, THE PETITIONER BRINGS THE ABOVE-
STYLED CAUSE ON GROUNDS OF A FEDERAL QUESTION, "MAY
THE RESPONDENT COUNT VOTES CAST IN OKLAHOMA
ELECTIONS HELD ON INDIAN TERRITORY, WHERE TREATY
STIPULATIONS RESTRICT THE POWER OF THE UNITED
STATES TO INCLUDE THE LAND EMBRACED WITHIN INDIAN
TERRITORY IN THE STATE OF OKLAHOMA?"

THE VENUE IS PROPER UNDER THE MANDAMUS
ACT. THE PETITIONER ASSERTS ARTICLE III STANDING AS
DECLARED CANDIDATE FOR OKLAHOMA GOVERNOR ENTITLED
THIS COURT'S RULING ON WHETHER THE RESPONDENT,
THE STATE OFFICIAL IN CHARGE OF COUNTING VOTES,
IS ENJOINED FROM COUNTING VOTES CAST IN OKLAHOMA
ELECTIONS HELD ON INDIAN TERRITORY.

✓ Mail ☐ No Cert Sve ☐ No Orig Sign
C/J ☐ C/MJ ☐ C/Ret'd ☐ No Env
No Cyps ☒ No Env/Cyps ☐ O/J ☐ O/MJ

(1)

FOUNDING FACTS

TREATY STIPULATIONS OF THE FIVE TRIBES ON LAND EMBRACING INDIAN TERRITORY GENERALLY RESTRICT THE POWER OF THE UNITED STATES TO INCLUDE INDIAN TERRITORY IN THE STATE OF OKLAHOMA.

SHE HAS CONTINUOUSLY HELD HER ELECTIONS TO INCLUDE VOTES CAST WITHIN INDIAN TERRITORY. NEITHER HER ENABLING ACT NOR CONSTITUTION HAVE AFFIRMATIVE EXPRESS INCLUSIVE LANGUAGE THAT WOULD ALLOW THE STATE TO HAVE GOVERNMENTAL INTERESTS SUCH AS COUNTING VOTES CAST FOR STATE ELECTIONS IN INDIAN TERRITORY.

CONCLUSIONS OF LAW

THE RESPONDENT LACKS AUTHORITY TO COUNT VOTES CAST IN OKLAHOMA ELECTIONS HELD ON INDIAN TERRITORY.

RESPECTFULLY

Paul Tay

PETITIONER

DAM # 1163908

DAVID D MOSS

300 N DENVER

TULSA, OK 74103